

# HOUSE BILL No. 1759

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 15-5-12.5.

**Synopsis:** Insurance for owners of vicious dogs. Provides that a person who owns or harbors a vicious dog commits a Class A misdemeanor if the dog causes bodily injury to an individual and the person who owns or harbors the dog does not have a liability insurance policy that provides at least \$100,000 of coverage. Enhances the penalty to a Class D felony if the person harboring the vicious dog has a prior unrelated conviction for harboring a vicious dog or if the dog causes bodily injury to a child.

**Effective:** January 1, 2006.

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**Pelath, Whetstone**

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January 19, 2005, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1759

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 15-5-12.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2006]:

4 **Chapter 12.5. Vicious Dogs**

5 **Sec. 1. As used in this chapter, "insurance coverage" means a**  
6 **policy of liability insurance that provides at least one hundred**  
7 **thousand dollars (\$100,000) of coverage per occurrence for bodily**  
8 **injury or property damage caused by a vicious dog.**

9 **Sec. 2. As used in this chapter, "pit bull" means a dog that**  
10 **exhibits distinguishing characteristics that substantially conform**  
11 **to the standards established by the:**

12 **(1) American Kennel Club for the:**

13 **(A) American Staffordshire Terrier; or**

14 **(B) Staffordshire Bull Terrier; or**

15 **(2) United Kennel Club for the American Pit Bull Terrier.**

16 **The term includes a mixed breed dog that contains as an element**  
17 **of its breeding the breed of American Staffordshire Terrier,**



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Staffordshire Bull Terrier, or American Pit Bull Terrier.

Sec. 3. As used in this chapter, "vicious dog" means a:

- (1) pit bull; or
- (2) wolf hybrid.

Sec. 4. As used in this chapter, "wolf hybrid" means:

- (1) the Tundra Shepherd; or
- (2) a mixed breed dog that contains as an element of its breeding a member of the wolf species.

Sec. 5. (a) Except as provided in subsection (b), a person who knowingly or intentionally owns or harbors a vicious dog commits a Class A misdemeanor if:

- (1) the vicious dog causes bodily injury to an individual; and
- (2) the person who owns or harbors the vicious dog does not have insurance coverage that was in effect at the time the vicious dog caused bodily injury to the individual.

(b) An offense under subsection (a) is a Class D felony if:

- (1) the person has a prior unrelated conviction for an offense under this section; or
- (2) the vicious dog causes bodily injury to an individual less than eighteen (18) years of age.

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